

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 COME-00 INT-05 AGR-05 IO-10 SCS-03 L-03

EB-07 OFA-01 SCA-01 H-02 INR-07 DLOS-04 PRS-01 SS-15

TRSE-00 USIE-00 ARAE-00 SSO-00 NSCE-00 INRE-00 CIAE-00

DODE-00 PM-03 NSAE-00 NSC-05 PA-01 SP-02 /086 W

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O R 181717Z JUL 75

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC IMMEDIATE 6955

INFO COMDT COGARD WASHDC

COGDSEVEN MIAMI

C O N F I D E N T I A L NASSAU 1157

E.O. 11652: GDS

TAGS: EFIS, BF

SUBJ: SPINY LOBSTER

REF: A) STATE 168791, B) NASSAU 1153

1. I HAVE DISCUSSED REF A WITH ADMIRAL WAGNER. MY FEELING IS THAT THERE MAY BE A THIRD ALTERNATIVE HALF-WAY BETWEEN THE TWO PROPOSED IN REF A.
2. BASED ON MY LUNCHEON DISCUSSION WITH RODNEY BAIN (REF B) IT APPEARS UNLIKELY THAT WE WILL RECEIVE EXPLICIT AGREEMENT TO MORATORIUM FROM GCOB. AT THE SAME TIME, AS I REPORTED, BAIN HEAVILY EMPHASIZED GCOB INTENT TO ACT WITH DISCRETION AT LEAST INITIALLY. BAIN FURTHER AMPLIFIED BY SUGGESTING THAT PROBABILITY WAS THAT INITIALLY FISHERMEN WOULD BE GIVEN WARNINGS BY GCOB POLICE.
3. BASED ON FOREGOING, AN ALTERNATIVE WHICH MIGHT WARRANT CONSIDERATION WOULD BE TO SUBSTITUTE THE FOLLOWING WORDING IN LIEU OF PARA 3 OF THE SECOND PROPOSED COAST GUARD WARNING NOTICE, I. E. THE NOTICE BASED ON
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ASSUMPTION OF MORATORIUM. IN LIEU OF PARA 3,

SUBSTITUTE THE FOLLOWING: "GOVERNMENT OF THE BAHAMAS HAS INDICATED THAT ITS LAW ENFORCEMENT OFFICERS WILL ACT WITH DISCRETION DURING A SHORT PERIOD TO ALLOW FISHERMEN TO BECOME FAMILIAR WITH THE NEW LEGISLATION. THE LIKELIHOOD IS THEREFORE THAT IF YOU ARE FISHING FOR LOBSTERS, OR ARE SUSPECTED OF DOING SO, ON THE BAHAMAS CONTINENTAL SHELF YOU WILL BE GIVEN A WARNING TO CEASE AND DESIST. YOU ARE, HOWEVER, SUBJECT TO ARREST UNDER BAHAMIAN LAW AND REPEATED VIOLATION IS LIKELY TO RESULT IN SUCH ARREST."

4. THERE ARE BOTH ADVANTAGES AND DISADVANTAGES TO THIS LANGUAGE. ON THE POSITIVE SIDE, IT MIGHT HAVE THE EFFECT OF COOLING THINGS SOMEWHAT, ESPECIALLY AS CONTRASTED WITH FIRST ALTERNATIVE NOTICE SUGGESTED BY COAST GUARD. IT WOULD BE PARTICULARLY UNFORTUNATE IF GCOB INTENT WAS IN FACT TO ACT WITH RESTRAINT AND PERHAPS INITIALLY ONLY ISSUE WARNINGS AND THAT THIS WAS NOT UNDERSTOOD BY U. S. FISHERMEN. UNDER THESE CIRCUMSTANCES POSSIBILITY EXISTS UNDER WHICH BAHAMIAN POLICE BOAT HAILING U. S. FISHERMEN WITH INTENT TO NO MORE THAN OFFER WARNING WAS INTERPRETED BY THOSE FISHERMEN AS UNDERTAKING AN ARREST AND WAS THEREFORE MET WITH GUN FIRE. THE DISADVANTAGE OF THE PROPOSED LANGUAGE IS THAT IT MIGHT ENCOURAGE U. S. FISHERMEN TO CONTINUE TO FISH ON THE BANKS IN THE CONFIDENT BELIEF THAT THEY WOULD NOT BE SUBJECT TO ARREST.

5. MY OWN GUESS IS THAT A SUBSTANTIAL NUMBER OF U. S. FISHERMEN WILL CONTINUE TO FISH REGARDLESS OF THE NATURE OF THE WARNING GIVEN THEM. SHOULD THAT BE THE CASE, IT WOULD BE WELL TO DO WHAT WE CAN TO LIMIT THE POSSIBILITY THAT THEY WOULD INITIATE FIRING IN THE EVENT GCOB MAKES SOME EFFORT AT ENFORCEMENT AND ESPECIALLY IF IT TURNS OUT THAT EFFORT IS LIMITED TO WARNING. ACCORDINGLY, IN BALANCE I WOULD OPT FOR INSERTION OF LANGUAGE ALONG LINES SUGGESTED ABOVE. ADMIRAL WAGNER AND I BOTH AGREED, HOWEVER, THAT WASHINGTON INSIGHTS WOULD BE DESIRABLE AND APPROPRIATE.

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NOTE BY OC/T: STATE REF INCORRECT. CORRECT REF NOT IDENTIFIED.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
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Current Classification: UNCLASSIFIED
Concepts: SHELLFISH, NEGOTIATIONS, FISHING AGREEMENTS, LOBSTERS, DIPLOMATIC DISCUSSIONS, FISHING REGULATIONS
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Draft Date: 18 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
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Errors: N/A
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